

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

RUSSIAN RESEARCH CENTER,  
THE KURCHATOV INSTITUTE

Plaintiff,

VS.

WESTERN SERVICES CORPORATION,  
*et al.*

Defendant,

Case No.: 02CV3878

**MOTION TO COMPEL DISCOVERY**  
(Answers Received But Not Satisfactory)

A motion to compel discovery was served on Western Services Corporation. The motion is attached to the notice of service of motion to compel discovery filed in this case as Paper No. 55. A response was served and is attached to the notice of service of response to motion to compel discovery filed in this case as Paper No. 64. A reply was served and is attached to the notice of service of reply to response filed in this case as Paper No. 68.

Counsel have conferred and have been unable to resolve the following issues raised in the motion to compel:

- (1) Production of all versions, iterations, subroutines, engines or other components or constituent parts of SIMPORT;
- (2) Production of all documents (memos, emails, notes, reports, etc.) generated, transmitted or relied on in the course of planning, developing, creating, executing or testing SIMPORT;

- (3) All information received by WSC from any third party (including Kurchatov) regarding and during the development, creation or execution of SIMPORT;
- (4) All documents evidencing payment from any entity for the license or sale of SIMPORT;
- (5) All documents evidencing any work done by scientists associated or formerly associated with KI during the development, creation or execution of SIMPORT;
- (6) All documents evidencing WSC's alleged first use in commerce of the mark SIMPORT;
- (7) All marketing materials (*i.e.*, presentations, sales plans, and related correspondence and memoranda) regarding attempts to sell or license SIMPORT;
- (8) All correspondence or communications between WSC and Outmelidze, KI, SAIC and/or DS&S with respect to any simulation software.

These issues are addressed in detail in the motion to compel at pages 4-10, the response at pages 4-10, and in the reply at pages 3-6.

A certificate of compliance with Local Rule 104.7 is attached hereto.

Wherefore, it is requested that the court review the motion to compel, response and reply and rule on the issues set forth above.

September 24, 2003

*Date*

*/s/*

John M.G. Murphy

03811

*Printed Name*

*Bar Number*

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